

**U.S. Department of Education  
Office of Postsecondary Education**



**Fiscal Year 2003**

**APPLICATION FOR GRANTS UNDER THE  
RONALD E. MCNAIR POSTBACCALAUREATE  
ACHIEVEMENT PROGRAM  
(CFDA Numbers: 84.217)**

**Form Approved  
OMB No. 1840 - 0619, Exp. Date 07/31/2005**

**CLOSING DATE:**

**October 30, 2002**

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## ***SECTION A- INTRODUCTION AND PROGRAM INFORMATION***

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- ***NOTICE INVITING APPLICATIONS FOR NEW AWARDS***
- ***MCNAIR LEGISLATION***
- ***RONALD E. MCNAIR POSTBACCALAUREATE ACHIEVEMENT PROGRAM REGULATIONS - 34 CFR PART 647***



Dear Applicant:

Thank you for your interest in applying for a grant under the Ronald E. McNair Postbaccalaureate Achievement (McNair) Program. This letter highlights some items in the application package that will be important in applying for a grant under this program. Please read carefully the entire application package before you prepare your application.

Included in this application package are: the forms and instructions necessary for preparing an application, the program statute and regulations, a copy of the "Notice Inviting Applications for New Awards," and a table reflecting annual family income thresholds for determining eligibility under the low-income criterion.

Please note the following provisions:

1. Eligible applicants include institutions of higher education and combinations of those institutions.
2. All applicants for multi-year awards must provide detailed budget information for each year of the grant period. The Department will determine the funding levels for each year of the grant at the time of the initial award. An annual performance report will be used to demonstrate progress.
3. All applicants must adhere to the **Part III, Program Narrative, page limitation of one hundred (100) pages**. Applications with narratives that exceed this number will not be reviewed, and will be returned to the applicant. To further expedite the review process, we request that you follow the suggested format for Part III, which is provided in the application booklet. Please submit a **signed original and three (3) copies of your application**.
4. Currently funded McNair Program grantees should note that prior experience will be assessed for program years 1999-2000, 2000-2001 and 2001-2002.

Applications must be postmarked or hand delivered on or before the deadline date. Detailed mailing instructions are provided in the “Application Transmittal Instructions.” Applications submitted late will not be accepted. The Department is required to enforce the established deadline to insure fairness to all applicants. No changes or additions to the applications will be accepted after the deadline date.

For additional information, please contact Eileen S. Bland or Reginald D. Williams of the Office of Federal TRIO Programs, U.S. Department of Education, 1990 K Street, NW, Suite 7000, Washington, DC 20202-8510, ATTN: CFDA 84.217. Either may also be reached by telephone at (202)502-7600 or by Internet at [TRIO@ED.GOV](mailto:TRIO@ED.GOV).

Sincerely,

Wilbert Bryant  
Deputy Assistant Secretary  
for Higher Education Programs

**Ronald E. McNair Postbaccalaureate Achievement  
Program  
Notice Inviting Applications for New Awards  
(Closing Date Notice)**

# **RONALD E. MCNAIR POSTBACCALAUREATE ACHIEVEMENT PROGRAM LEGISLATION**

## **HIGHER EDUCATION ACT OF 1965-TITLE IV-RONALD E. MCNAIR POST BACCALAUREATE ACHIEVEMENT PROGRAM**

Part A--Grants to Students in Attendance at Institutions of Higher Education; Subpart 2--  
Federal Early Outreach and Student Services Programs

### **CHAPTER 1--FEDERAL TRIO PROGRAMS**

SEC. 402A. PROGRAM AUTHORITY; AUTHORIZATION OF APPROPRIATIONS.

(a) **GRANTS AND CONTRACTS AUTHORIZED-** The Secretary shall, in accordance with the provisions of this chapter, carry out a program of making grants and contracts designed to identify qualified individuals from disadvantaged backgrounds, to prepare them for a program of postsecondary education, to provide support services for such students who are pursuing programs of postsecondary education, to motivate and prepare students for doctoral programs, and to train individuals serving or preparing for service in programs and projects so designed.

#### **(b) RECIPIENTS, DURATION, AND SIZE-**

(1) **RECIPIENTS-** For the purposes described in subsection (a), the Secretary is authorized, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), to make grants to, and contracts with, institutions of higher education, public and private agencies and organizations, combinations of such institutions, agencies and organizations, and in exceptional circumstances, secondary schools, for planning, developing, or carrying out one or more of the services assisted under this chapter.

(2) **DURATION-** Grants or contracts made under this chapter shall be awarded for a period of 4 years, except that--

- (A) the Secretary shall award such grants or contracts for 5 years to applicants whose peer review scores were in the highest 10 percent of scores of all applicants receiving grants or contracts in each program competition for the same award year; and
- (B) grants made under section 402G shall be awarded for a period of 2 years.

(3) **MINIMUM GRANT LEVEL-** In any year in which the appropriations authorized under this chapter exceed the prior year appropriation as adjusted for inflation, the Secretary shall use 80 percent of the amount appropriated above the current services level to bring each award up to the minimum grant level or the amount requested by the institution or agency, whichever is less. The minimum grant level (A) for programs authorized under section 402D or 402G, shall not be less than \$170,000 for fiscal year 1993; (B) for programs authorized under section 402B or 402F shall not be less than \$180,000 for fiscal year 1994; and (C) for programs authorized under section 402C or 402E shall not be less than \$190,000 for fiscal year 1995.

#### **(c) PROCEDURES FOR AWARDING GRANTS AND CONTRACTS-**

(1) **PRIOR EXPERIENCE-** In making grants and contracts under this chapter, the Secretary shall consider the prior experience of service delivery under the particular program for which funds are sought by each applicant. For fiscal years after 1985, the level of consideration given to prior experience shall not vary from the level of consideration given this factor for fiscal year 1985.

(2) **ORDER OF AWARDS; PROGRAM FRAUD-** (A) Except as provided in subparagraph (B), the Secretary shall award grants and contracts under this chapter in the order of the scores received by the application for such grant or contract in the peer review process required under section 1210 and adjusted for prior experience in accordance with paragraph (1).

(B) The Secretary is not required to provide assistance to a program otherwise eligible for assistance under this chapter, if the Secretary has determined that such program has involved the fraudulent use of funds under this chapter.

(3) **PEER REVIEW PROCESS-** (A) The Secretary shall assure that, to the extent practicable, members of groups underrepresented in higher education, including African Americans, Hispanics, Native Americans, Alaska Natives, Asian Americans, Native American Pacific Islanders (including Native Hawaiians), are represented as readers of applications submitted under this chapter. The Secretary shall also assure that persons from urban and rural backgrounds are represented as readers.

(B) The Secretary shall ensure that each application submitted under this chapter is read by at least 3 readers who are not employees of the Federal Government (other than as readers of applications).

(4) **APPLICATION STATUS-** The Secretary shall inform each entity operating programs under this chapter regarding the status of their application for continued funding at least 8 months prior to the expiration of the grant or contract. The Secretary, in the case of an entity that is continuing to operate a successful program under this chapter, shall ensure that the start-up date for a new grant or contract for such program immediately follows the termination of preceding grant or contract so that no interruption of funding occurs for such successful reapplicants. The Secretary shall inform each entity requesting assistance under this subpart for a new program regarding the status of their application at least 8 months prior to the proposed startup date of such program.

(5) **NUMBER OF APPLICATIONS FOR GRANTS AND CONTRACTS-** The Secretary shall not limit the number of applications submitted by an entity under any program authorized under this chapter if the additional applications describe programs serving different populations or campuses.

(6) **COORDINATION WITH OTHER PROGRAMS FOR DISADVANTAGED STUDENTS-** The Secretary shall encourage coordination of programs assisted under this chapter with other programs for disadvantaged students operated by the sponsoring institution or agency, regardless of the funding source of such programs. The Secretary shall not limit an entity's eligibility to receive funds under this chapter because such entity sponsors a program similar to the program to be assisted under this chapter, regardless of the funding source of such program. The Secretary shall not require a separate Director to administer a program funded under this chapter if the imposition of such requirement will hinder coordination among programs funded under this chapter or between programs funded under this subpart and similar programs funded through other sources.



## (d) OUTREACH-

(1) IN GENERAL- The Secretary shall conduct outreach activities to ensure that entities eligible for assistance under this chapter submit applications proposing programs that serve geographic areas and eligible populations which have been underserved by the programs assisted under this chapter.

(2) NOTICE- In carrying out the provisions of paragraph (1), the Secretary shall notify the entities described in subsection (b) of the availability of assistance under this subsection not less than 120 days prior to the deadline for submission of applications under this chapter and shall consult national, State, and regional organizations about candidates for notification.

(3) TECHNICAL ASSISTANCE- The Secretary shall provide technical training to applicants for projects and programs authorized under this chapter. The Secretary shall give priority to serving programs and projects that serve geographic areas and eligible populations which have been underserved by the programs assisted under this chapter. Technical training activities shall include the provision of information on authorizing legislation, goals and objectives of the program, required activities, eligibility requirements, the application process and application deadlines, and assistance in the development of program proposals and the completion of program applications. Such training shall be furnished at conferences, seminars, and workshops to be conducted at not less than 10 sites throughout the United States to ensure that all areas of the United States with large concentrations of eligible participants are served.

(4) SPECIAL RULE- The Secretary may contract with eligible entities to conduct the outreach activities described in this subsection.

(e) DOCUMENTATION OF STATUS AS A LOW-INCOME INDIVIDUAL- (1) Except in the case of an independent student, as defined in section 480(D), documentation of an individual's status pursuant to subsection (g)(2) shall be made by providing the Secretary with--

- (A) signed statement from the parent or legal guardian;
- (B) verification from another governmental source;
- (C) signed financial aid application, or;
- (D) signed United States or Puerto Rican income tax return; and

(2) In the case of an independent student, as defined in section 480(D), documentation of an individual's status pursuant to subsection (g)(2) shall be made by providing the Secretary with--

- (A) a signed statement from the individual;
- (B) verification from another governmental source;
- (C) signed financial aid form; or
- (D) a signed United States or Puerto Rican income tax return.

(f) AUTHORIZATION OF APPROPRIATIONS- For the purpose of making grants and contracts under this chapter, there are authorized to be appropriated \$650,000,000 for fiscal year 1993, and such sums as may be necessary for each of the 4 succeeding fiscal years. Of the amount appropriated under this chapter, the Secretary may use no more than 1/2 of 1 percent of such amount to obtain additional qualified readers and additional staff to review applications, to increase the level of oversight monitoring, to support impact studies, program assessments and reviews, and to provide technical assistance to potential applicants and current grantees. In expending these funds, the Secretary shall give priority to the additional administrative requirements provided in the Higher Education Amendments of 1992, to outreach activities, and to obtaining additional readers. The Secretary shall report to Congress by October 1, 1994, on the use of these funds.

(g) DEFINITIONS- For the purpose of this chapter:

(1) FIRST GENERATION COLLEGE STUDENT- The term first generation college student' means--

(A) an individual both of whose parents did not complete a baccalaureate degree; or

(B) in the case of any individual who regularly resided with and received support from only one parent, an individual whose only such parent did not complete a baccalaureate degree.

(2) LOW-INCOME INDIVIDUAL- The term low-income individual' means an individual from a family whose taxable income for the preceding year did not exceed 150 percent of an amount equal to the poverty level determined by using criteria of poverty established by the Bureau of the Census.

(3) VETERAN ELIGIBILITY- No veteran shall be deemed ineligible to participate in any program under this chapter by reason of such individual's age who--

(A) served on active duty for a period of more than 180 days, any part of which occurred after January 31, 1955, and was discharged or released therefrom under conditions other than dishonorable; or

(B) served on active duty after January 31, 1955, and was discharged or released therefrom because of a service connected disability.

`SEC. 402E. POSTBACCALAUREATE ACHIEVEMENT PROGRAM AUTHORITY.

(a) PROGRAM AUTHORITY- The Secretary shall carry out a program to be known as the 'Ronald E. McNair Postbaccalaureate Achievement Program' that shall be designed to provide disadvantaged college students with effective preparation for doctoral study.

(b) SERVICES- A postbaccalaureate achievement project assisted under this section may provide services such as--

(1) opportunities for research or other scholarly activities at the institution or at graduate centers designed to provide students with effective preparation for doctoral study;

(2) summer internships;

(3) seminars and other educational activities designed to prepare students for doctoral study;

(4) tutoring;

(5) academic counseling;

(6) activities designed to assist students participating in the project in securing admission to and financial assistance for enrollment in graduate programs;

(7) mentoring programs involving faculty members at institutions of higher education, students, or any combination of such persons; and

(8) exposure to cultural events and academic programs not usually available to disadvantaged students.

(c) REQUIREMENTS- In approving applications for postbaccalaureate achievement projects assisted under this section for any fiscal year, the Secretary shall require--

(1) an assurance that not less than two-thirds of the individuals participating in the project proposed to be carried out under any application be low-income individuals who are first generation college students;

(2) an assurance that the remaining persons participating in the project proposed to be carried out be from a group that is underrepresented in graduate education;

(3) an assurance that participants be enrolled in a degree program at an eligible institution having an agreement with the Secretary in accordance with the provisions of section 487; and

(4) an assurance that participants in summer research internships have completed their sophomore year in postsecondary education.

(d) AWARD CONSIDERATIONS- In addition to such other selection criteria as may be prescribed by regulations, the Secretary shall consider in making awards to institutions under this section--

(1) the quality of research and other scholarly activities in which students will be involved;

(2) the level of faculty involvement in the project and the description of the research in which students will be involved; and

(3) the institution's plan for identifying and recruiting participants including students enrolled in projects authorized under this section.

(e) MAXIMUM STIPENDS- Students participating in research under a postbaccalaureate achievement project may receive an award that--

(1) shall include a stipend not to exceed \$2,400 per annum; and

(2) may include, in addition, the costs of summer tuition, summer room and board, and transportation to summer programs.

(f) FUNDING- From amounts appropriated pursuant to the authority of section 402A(f), the Secretary shall, to the extent practicable, allocate funds for projects authorized by this section in an amount which is not less than \$11,000,000 for each of the fiscal years 1993 through 1997. (20 U.S.C. 1070a-15) Enacted October 17, 1986, P.L. 99-498, sec 401(a), 100 Stat. 1339; amended June 3, 1987, P.L. 100-50, sec. 6, 101 Stat.340; amended Aug. 23, 1988, P.L. 100-418, sec 6271, 102 Stat. 1523; amended July 23, 1992, P.L. 102-325, sec. 402(a)(4), 106 Stat. 489.

# **RONALD E. MCNAIR POSTBACCALAUREATE ACHIEVEMENT PROGRAM REGULATIONS**

## **U.S. DEPARTMENT OF EDUCATION FEDERAL REGULATIONS FOR 34 PART 647-RONALD E. MCNAIR POSTBACCALAUREATE ACHIEVEMENT PROGRAM**

### **Subpart A-General**

**647.1 What is the Ronald E. McNair Postbaccalaureate Achievement Program?**

**647.2 Who is eligible for a grant?**

**647.3 Who is eligible to participate in a McNair project?**

**647.4 What activities and services may a project provide?**

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**Authority: 20 U.S.C. 1070a-11 and 1070a-15, unless otherwise noted.**

**Source: 59 FR 43989, Aug. 25, 1994, unless otherwise noted.**

## Subpart A-General

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### **§ 647.1 What is the Ronald E. McNair Postbaccalaureate Achievement Program?**

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The Ronald E. McNair Postbaccalaureate Achievement Program, referred to in these regulations as the McNair Program, awards grants to institutions of higher education for projects designed to provide disadvantaged college students with effective preparation for doctoral study.

(Authority: 20 U.S.C. 1070a-15)

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### **§ 647.2 Who is eligible for a grant?**

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Institutions of higher education and combinations of those institutions are eligible for grants to carry out McNair projects.

(Authority: 20 U.S.C. 1070a-11, 1070a-15, 1088, and 1141(a) and 1144a)

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### **§ 647.3 Who is eligible to participate in a McNair project?**

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A student is eligible to participate in a McNair project if the student meets all the following requirements:

- (a)(1) Is a citizen or national of the United States; or
  - (2) Is a permanent resident of the United States; or
  - (3) Is in the United States for other than a temporary purpose and provides evidence from the Immigration and Naturalization Service of his or her intent to become a permanent resident; or
  - (4) Is a permanent resident of Guam, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands; or
  - (5) Is a resident of one of the Freely Associated States.
- (b) Is currently enrolled in a degree program at an institution of higher education that participates in the student financial assistance programs authorized under Title IV of the HEA.
- (c) Is-
  - (1) A low-income individual who is a first-generation college student;
  - (2) A member of a group that is underrepresented in graduate education; or
  - (3) A member of a group that is not listed in §647.7 if the group is underrepresented in certain academic disciplines as documented by standard statistical references or other national survey data submitted to and accepted by the Secretary on a case-by-case basis.
  - (d) Has not enrolled in doctoral level study at an institution of higher education.

(Authority: 20 U.S.C. 1070a-15)

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### **§ 647.4 What activities and services may a project provide?**

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A McNair project may provide the following services and activities:

- (a) Opportunities for research or other scholarly activities at the grantee institution or at graduate centers that are designed to provide participants with effective preparation for doctoral study.
  - (b) Summer internships.
  - (c) Seminars and other educational activities designed to prepare participants for doctoral study.
  - (d) Tutoring.
  - (e) Academic counseling.
  - (f) Assistance to participants in securing admission to and financial assistance for enrollment in graduate programs.
  - (g) Mentoring programs involving faculty members or students at institutions of higher education, or any combination of faculty members and students.
  - (h) Exposure to cultural events and academic programs not usually available to project participants.
- (Authority: 20 U.S.C. 1070a-15)

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**§ 647.5      How long is a project period?**

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- (a) Except as provided in paragraph (b) of this section, a project period under the McNair Program is four years.
  - (b) The Secretary approves a project period of five years for applications that score in the highest ten percent of all applications approved for new grants under the criteria in §647.21.
- (Authority: 20 U.S.C. 1070a-11)

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**§ 647.6      What regulations apply?**

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The following regulations apply to the McNair Program:

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:
  - (1) 34 CFR Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).
  - (2) 34 CFR Part 75 (Direct Grant Programs).
  - (3) 34 CFR Part 77 (Definitions that Apply to Department Regulations).
  - (4) 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities).
  - (5) 34 CFR Part 82 (New Restrictions on Lobbying).
  - (6) 34 CFR Part 85 ((Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).
  - (7) 34 CFR Part 86 (Drug-Free Schools and Campuses).
- (b) The Program regulations in Part 647.

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**§ 647.7      What definitions apply?**

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(a) Definitions in EDGAR. The following terms used in this part are defined in 34 CFR 77.1:

Applicant  
Application  
Budget  
Budget Period  
EDGAR  
Equipment  
Facilities  
Fiscal Year  
Grant  
Grantee  
Project  
Project Period  
Public  
Secretary  
Supplies

(b) Other definitions. The following definitions also apply to this part:

**First-generation college student** means-

- (1) A student neither of whose natural or adoptive parents received a baccalaureate degree; or
- (2) A student who, prior to the age of 18, regularly resided with and received support from only one parent, and whose supporting parent did not receive a baccalaureate degree.
- (3) An individual who, prior to the age of 18, did not regularly reside with or receive support from a natural or an adoptive parent.

**Graduate center** means an educational institution as defined in sections 481, 1201(a), and 1204 of the HEA; and that-

- (1) Provides instruction in one or more programs leading to a doctoral degree;
- (2) Maintains specialized library collections;
- (3) Employs scholars engaged in research that relates to the subject areas of the center; and
- (4) Provides outreach and consultative services on a national, regional or local basis.

**Graduate education** means studies beyond the bachelor's degree leading to a postbaccalaureate degree.

**HEA** means the Higher Education Act of 1965, as amended.

**Groups underrepresented in graduate education.** The following ethnic and racial groups are currently underrepresented in graduate education: Black (non-Hispanic), Hispanic, and American Indian/Alaskan Native.

**Institution of higher education** means an educational institution as defined in sections 481, 1201(a) and 1204 of the HEA.

**Low-income individual** means an individual whose family's taxable income did not exceed 150 percent of the poverty level in the calendar year proceeding the year in which the individual participates in the project. Poverty level income is determined by using criteria of poverty established by the Bureau of the Census of the U.S. Department of Commerce.

**Summer internship** means an educational experience in which participants, under the guidance and direction of experienced faculty researchers, are provided an opportunity to engage in research or other scholarly activities.

**Target population** means the universe from which McNair participants will be selected. The universe may be expressed in terms of geography, type of institution, academic discipline, type of disadvantage, type of underrepresentation, or any other qualifying descriptor that would enable an applicant to more precisely identify the kinds of eligible project participants they wish to serve.

(Authority: 20 U.S.C. 1070a-11, 1070a-15, and 1141)

## Subpart B-Assurances

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### § 647.10 What assurances must an applicant submit?

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An applicant must submit as part of its application, assurances that-

- (a) Each participant enrolled in the project will be enrolled in a degree program at an institution of higher education that participates in one or more of the student financial assistance programs authorized under Title IV of the HEA;
- (b) Each participant given a summer research internship will have completed his or her sophomore year of study; and
- (c)(1) At least two thirds of the students to be served will be low-income individuals who are first-generation college students; and

- (2) The remaining students to be served will be members of groups underrepresented in graduate education.



## **Subpart C-How Does the Secretary Make a Grant?**

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### **§ 647.20      How does the Secretary decide which new grants to make?**

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(a) The Secretary evaluates an application for a new grant as follows:

(1)(i) The Secretary evaluates an application on the basis of the selection criteria in §647.21.

(ii) The maximum score for all the criteria in §647.21 is 100 points. The maximum score for each criterion is indicated in parentheses with the criterion.

(2)(i) For an application from an applicant who has carried out a McNair project in the fiscal year immediately preceding the fiscal year for which the applicant is applying, the Secretary evaluates the applicant's prior experience on the basis of the criteria in §647.22.

(ii) The maximum score for all the criteria in §647.22 is fifteen (15) points. The maximum score for each criterion is indicated in parentheses with the criterion.

(iii) If an applicant described in paragraph (a)(2)(i) of this section applies for more than one new grant in the same fiscal year, the Secretary applies the criteria in §647.22 to a project that seeks to continue support for an existing McNair project on that campus.

(b) The Secretary makes new grants in rank order on the basis of the total scores received by applications under paragraphs (a)(1) through (a)(3) of this section.

(c)(1) If the total scores of two or more applications are the same and there are insufficient funds for these applications after the approval of higher-ranked applications, the Secretary uses the remaining funds to achieve an equitable geographic distribution of all new projects.

(2) In making an equitable geographic distribution of new projects, the Secretary considers only the locations of new projects.

(d) The Secretary may decline to make a grant to an applicant that carried out a Federal TRIO Program project that involved the fraudulent use of funds.

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**§ 647.21      What selection criteria does the Secretary use?**

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The Secretary uses the following criteria to evaluate an application for a new grant:

**(a) Need (16 Points).** The Secretary reviews each application to determine the extent to which the applicant can clearly and definitively demonstrate the need for a McNair project to serve the target population. In particular, the Secretary looks for information that clearly defines the target population; describes the academic, financial and other problems that prevent potentially eligible project participants in the target population from completing baccalaureate programs and continuing to postbaccalaureate programs; and demonstrates that the project's target population is underrepresented in graduate education, doctorate degrees conferred and careers where a doctorate is a prerequisite.

**(b) Objectives (9 points).** The Secretary evaluates the quality of the applicant's proposed project objectives on the basis of the extent to which they-

- (1) Include both process and outcome objectives relating to the purpose of the McNair program stated in §647.1;
- (2) Address the needs of the target population; and
- (3) Are measurable, ambitious, and attainable over the life of the project.

**(c) Plan of Operation (44 points).** The Secretary reviews each application to determine the quality of the applicant's plans of operation, including-

- (1) (4 points) The plan for identifying, recruiting and selecting participants to be served by the project, including students enrolled in the Student Support Services program;
- (2) (4 points) The plan for assessing individual participant needs and for monitoring the academic growth of participants during the period in which the student is a McNair participant;
- (3) (5 points) The plan for providing high quality research and scholarly activities in which participants will be involved;
- (4) (5 points) The plan for involving faculty members in the design of research activities in which students will be involved;
- (5) (5 points) The plan for providing internships, seminars, and other educational activities designed to prepare undergraduate students for doctoral study;
- (6) (5 points) The plan for providing individual or group services designed to enhance a student's successful entry into postbaccalaureate education;
- (7) (3 points) The plan to inform the institutional community of the goals and objectives of the project;
- (8) (8 points) The plan to ensure proper and efficient administration of the project, including, but not limited to matters such as financial management, student records management, personnel

management, the organizational structure, and the plan for coordinating the McNair project with other programs for disadvantaged students; and

(9) (5 points) The follow-up plan that will be used to track the academic and career accomplishments of participants after they are no longer participating in the McNair project.

**(d) Quality of key personnel (9 points).** The Secretary evaluates the quality of key personnel the applicant plans to use on the project on the basis of the following:

(1)(i) The job qualifications of the project director.

(ii) The job qualifications of each of the project's other key personnel.

(iii) The quality of the project's plan for employing highly qualified persons, including the procedures to be used to employ members of groups underrepresented in higher education, including Blacks, Hispanics, American Indians, Alaska Natives, Asian Americans and Pacific Islanders (including Native Hawaiians).

(2) In evaluating the qualifications of a person, the Secretary considers his or her experience and training in fields related to the objectives of the project.

**(e) Adequacy of the resources and budget (15 points).** The Secretary evaluates the extent to which-

(1) The applicant's proposed allocation of resources in the budget is clearly related to the objectives of the project;

(2) Project costs and resources, including facilities, equipment, and supplies, are reasonable in relation to the objectives and scope of the project; and

(3) The applicant's proposed commitment of institutional resources to the McNair participants, as for example, the commitment of time from institutional research faculty and the waiver of tuition and fees for McNair participants engaged in summer research projects.

**(f) Evaluation plan (7 points).** The Secretary evaluates the quality of the evaluation plan for the project on the basis of the extent to which the applicant's methods of evaluation-

(1) Are appropriate to the project's objectives;

(2) Provide for the applicant to determine, in specific and measurable ways, the success of the project in-

(i) Making progress toward achieving its objectives (a formative evaluation); and

(ii) Achieving its objectives at the end of the project period (a summative evaluation); and

(3) Provide for a description of other project outcomes, including the use of quantifiable measures, if appropriate.

(Authority: 20 U.S.C. 1070a-15)

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**§ 647.22      How does the Secretary evaluate prior experience?**

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- (a) The Secretary reviews information relating to an applicant's performance as a grantee under its expiring McNair project. In addition to the application under review, this information may be derived from performance reports, audit reports, site visit reports, and project evaluation reports received by the Secretary during the project period about to be completed.
- (b) The Secretary evaluates the applicant's performance as a grantee on the basis of the following criteria:
- (1) (3 points) Whether the applicant consistently served the number and types of participants the project was funded to serve.
  - (2) (4 points) Whether the applicant was successful in providing the participants with research and scholarly activities and whether those activities had an impact on project participants.
  - (3) (8 points) The extent to which the applicant met or exceeded its funded objectives with regard to project participants as demonstrated by the number of participants who-
    - (i) Attained a baccalaureate degree;
    - (ii) Enrolled in a postbaccalaureate program; and
    - (iii) Attained a doctoral level degree.

(Authority: 20 U.S.C. 1070a-11 and 1070a-15)

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**§ 647.23      How does the Secretary set the amount of a grant?**

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- (a) The Secretary sets the amount of a grant on the basis of-
- (1) 34 CFR 75.232 and 75.233 for new grants; and
  - (2) 34 CFR 75.253 for the second and subsequent years of a project period.
- (b) If the circumstances described in section 402A(b)(3) of the HEA exist, the Secretary uses the available funds to set the amount of the grant beginning in fiscal year 1995 at the lesser of-
- (1) \$190,000; or
  - (2) The amount requested by the applicant.

(Authority: 20 U.S.C. 1070a-11)

## **Subpart D-What Conditions Must Be Met by a Grantee?**

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**§ 647.30      What are allowable costs?**

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Allowable project costs, not specifically covered by 34 CFR Part 74, may include the following costs reasonably related to carrying out a McNair project:

- (a) Activities of an academic or scholarly nature, such as trips to institutions of higher education offering doctoral programs, and special lectures, symposia, and professional conferences, which have as their purpose the encouragement and preparation of project participants for doctoral studies.
- (b) Stipends of up to \$2,400 per year for students engaged in research internships, provided that the student has completed the sophomore year of study at an eligible institution before the internship begins.

(c) Necessary tuition, room and board, and transportation for students engaged in research internships during the summer.

(d) Purchase of computer hardware, computer software, or other equipment for student development, project administration, and recordkeeping, if the applicant demonstrates to the Secretary's satisfaction that the equipment is required to meet the objectives of the project more economically or efficiently.

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**§ 647.31      What are unallowable costs?**

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Costs that may not be charged against a grant under this program include the following:

(a) Payment of tuition, stipends, test preparation and fees or any other form of student financial support to staff or participants not expressly allowed under §647.30.

(b) Construction, renovation, and remodeling of any facilities.

(Authority: 20 U.S.C. 1070a-5)

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**§ 647.32      What other requirements must a grantee meet?**

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(a) Eligibility of participants. (1) A grantee shall determine the eligibility of each student before the student is selected to participate. A grantee does not have to redetermine a student's eligibility once the student has been determined eligible in accordance with the provisions of §647.3; and

(2) A grantee shall determine the status of a low-income individual on the basis of the documentation described in section 402A(e) of the HEA.

(b) Recordkeeping. For each student, a grantee shall maintain a record of-

(1) The basis for the grantee's determination that the student is eligible to participate in the project under §647.3;

(2) The individual needs assessment;

(3) The services provided to the participant; and

(4) The specific educational progress made by the student during and after participation in the project.

(c) Other reporting requirements. A grantee shall submit to the Secretary reports and other information as requested in order to demonstrate program effectiveness.

(d) Project director. A grantee shall designate a project director who has-

(1) Authority to conduct the project effectively; and

(2) Appropriate professional qualifications, experience and administrative skills to effectively fulfill the objectives of the project.

(Authority: 20 U.S.C. 1070a-15)

## ***SECTION B- DEPARTMENTAL INFORMATION***

- ***INSTRUCTIONS FOR TRANSMITTING APPLICATIONS***

- ***EXECUTIVE ORDER 12372 --***

***INTERGOVERNMENTAL REVIEW STATE SINGLE***

***POINT OF CONTACT***

- ***SUPPLEMENTAL INFORMATION***

- ***GEPA-NOTICE TO ALL APPLICANTS GUIDANCE ON***

***SECTION 427 OF THE GENERAL EDUCATION***

***PROVISIONS ACT***

- ***GPRA- GOVERNMENT PERFORMANCE AND***

***RESULTS ACT***

- ***IMPORTANT NOTICE TO PROSPECTIVE***

***PARTICIPANTS IN U.S. DEPARTMENT OF***

***EDUCATION CONTRACT AND GRANT PROGRAMS***

- ***SUPPLEMENTAL INSTRUCTIONS-- OBTAINING A***

***D-U-N-S NUMBER***

## Instructions for Transmitting Applications

If you want to apply for a grant and be considered for funding, you must meet the following deadline requirements:

### **Applications Sent by Mail**

You must mail the original and two copies of the application on or before the deadline date to the Application Control Center. To help expedite our review of your application, we would appreciate your voluntarily including one (1) additional copy of your application to the:

**U.S. Department of Education  
Application Control Center  
Attention: CFDA # 84.217A  
Washington, DC 20202-4725**

You must show one of the following as proof of mailing:

- (1) A legible dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary.

If you mail an application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

**Special Note: Due to recent disruptions to normal mail delivery, the Department encourages you to consider using an alternative delivery method (for example, a commercial carrier, such as Federal Express or United Parcel Service; U.S. Postal Service Express Mail; or a courier service) to transmit your application for this competition to the Department. If you use an alternative delivery method, please obtain the appropriate proof of mailing under “Applications Sent by Mail,” then follow the instructions for “Applications Delivered by Hand.”**

### **Applications Delivered by Hand**

You or your courier must hand deliver the original and two copies of the application by 4:30 p.m. (Washington, DC time) on or before the deadline date. To help expedite our review of your application, we would appreciate your voluntarily including one (1) additional copy of your application to the:

**U.S. Department of Education  
Application Control Center  
Attention: CFDA # 84.217A  
7<sup>th</sup> and D Streets, SW  
ROB-3, Room 3671  
Washington, DC 20202-4725**

The Application Control Center accepts application deliveries daily between 8:00 a.m. and 4:30 p.m. (Washington, DC time), except Saturdays, Sundays, and Federal holidays. The Center accepts application deliveries through the D Street entrance only. A person delivering an application must show identification to enter the building.



## Executive Order 12372 -- Intergovernmental Review

The Education Department General Administrative Regulations (EDGAR), 34 CFR 79, pertaining to intergovernmental review of Federal programs, apply to the program(s) included in this application package.

Immediately upon receipt of this notice, all applicants, other than Federally recognized Indian Tribal Governments, must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should contact, immediately upon receipt of this notice, the Single Point of Contact for each State and follow the procedures established in those States under the Executive Order. A list containing the Single Point of Contact for each State is included in the application package for these programs.

In States that have not established a process or chosen a program for review, State, area wide, regional, and local entities may submit comments directly to the Department.

Any state process recommendation and other comments submitted by a State Single Point of Contact and any other comments from State, area wide, regional, and local entities must be mailed or hand-delivered by the date in the program announcement for Intergovernmental Review to the following address:

The Secretary  
E.O. 12372-CFDA# 84.217 (McNair)  
U.S. Department of Education,  
FB-6, Room 7C116  
400 Maryland Ave., SW  
Washington, DC 20202-0124

Please note that the above address is not the same address as the one to which the applicant submits its completed application. **Do not send applications to the above address.**

On line 2 of the above address, please provide the correct Catalog of Federal Domestic Assistance number (CFDA#) of the program for which a comment or state process recommendation on an application is submitted. (McNair 84.217)

In those States that require review for this program, applications are to be submitted simultaneously to the State Review Process and the U.S. Department of Education.

Proof of mailing for intergovernmental review will be determined on the same basis as applications.

## State Single Points Of Contact

### Alabama

Mr. Jon C. Strickland,  
Alabama Department of Economic and Community  
Affairs  
Planning & Economic Developmt Div.  
401 Adams Avenue  
Montgomery, AL 36103-5690  
Telephone (205) 242-5483  
Fax (205) 242-5515

### Arizona

Joanne Saad  
Arizona State Clearing House  
3800 N. Central Avenue, Fourteenth Floor  
Phoenix, Arizona 85012  
Telephone (602) 280-1315  
Fax (602) 280-8144

### Arkansas

Mr. Tracy L. Copeland  
Manager, State Clearinghouse  
Office of Intergovernmental Services  
Department of Finance and Administration  
1515 W. 7th Street -- Rm 412  
Little Rock, Arkansas 72203  
Telephone (501) 682-1074  
Fax (501) 682-5206

### California

Grants Coordinator  
Office of Planning & Research  
1400 Tenth Street -- Rm 121  
Sacramento, California 95814  
Telephone (916) 323-7480  
Fax (916) 323-3018

### Delaware

Francine Booth  
State Single Point of Contact  
Executive Department  
Thomas Collins Building  
P.O. Box 1401  
Dover, Delaware 19903  
Telephone (302) 739-3326  
Fax (302) 739-5661

### District of Columbia

Charles Nichols  
State Single Point of Contact  
Office of Grants Management and Development  
717 14th Street, NW -- Suite 500  
Washington, DC 20005  
Telephone (202) 727-6551  
Fax (202) 727-1617

### Florida

Florida State Clearinghouse  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100  
Telephone (904) 922-5438  
Fax (904) 487-2899

### Georgia

Tom L. Reid III, Administrator  
Georgia State Clearinghouse  
254 Washington Street, SW -- Rm 401J  
Atlanta, Georgia 30334  
Telephone (404) 656-3855 or 656-3829  
Fax (404) 656-7938

### Illinois

Barbara Beard  
State Single Point of Contact  
Department of Commerce and Community Affairs  
620 East Adams  
Springfield, Illinois 62701  
Telephone (217) 782-1671  
Fax (217) 534-1627

### Indiana

Amy Brewer  
State Budget Agency  
212 State House  
Indianapolis, Indiana 46204  
Telephone (317) 232-5619  
Fax (317) 233-3323

## **Iowa**

Steven R. McCann  
Division for Community Assistance  
Iowa Dept. of Economic Development  
200 East Grand Avenue  
Des Moines, Iowa 50309  
Telephone (515) 242-4719  
Fax (515) 242-4859

## **Kentucky**

Ronald W. Cook  
Office of the Governor  
Department of Local Government  
1024 Capitol Center Drive  
Frankfort, Kentucky 40601-8204  
Telephone (502) 573-2382  
Fax (502) 573-2512

## **Maine**

Joyce Benson  
State Planning Office  
State House Station #38  
Augusta, Maine 04333  
Telephone (207) 287-3261  
Fax (207) 287-6489

## **Maryland**

William G. Carroll Manager,  
State Clearinghouse for Intergovernmental Assistance  
Maryland Office of Planning  
301 West Preston Street -- Rm 1104  
Baltimore, Maryland 21201-2365  
Staff Contact: Linda Janey  
Telephone (410) 225-4490  
Fax (410) 225-4480

## **Michigan**

Richard Pfaff  
Southeast Michigan Council of Governments  
1900 Edison Plaza  
660 Plaza Drive  
Detroit, MI 48226  
Telephone (313) 961-4266  
Fax (313) 961-4869

## **Mississippi**

Cathy Mallette  
Clearinghouse Officer  
Department of Finance and Administration  
455 North Lamar Street  
Jackson, Mississippi 39202-3087  
Telephone (601) 359-6762  
Fax (601) 359-6764

## **Missouri**

Lois Pohl  
Federal Assistance Clearinghouse  
Office of Administration  
P.O. Box 809  
Room 760, Truman Building  
Jefferson City, Missouri 65102  
Telephone (314) 751-4834  
Fax (314) 751-7819

## **Nevada**

Department of Administration  
State Clearinghouse  
Capitol Complex  
Carson City, Nevada 89710  
Telephone (702) 687-4065  
Fax (702) 687-3983

## **New Hampshire**

Jeffrey H. Taylor, Director  
New Hampshire Office of State Planning  
Attn: Intergovernmental Review Process  
Mike Blake  
2 1/2 Beacon Street  
Concord, New Hampshire 03301  
Telephone (603) 271-2155  
Fax (603) 271-1728

## **New Mexico**

Robert Peters  
State Budget Division, Rm. 190,  
Bataan Memorial Building  
Santa Fe, New Mexico 87503  
Telephone (505) 827-3640  
Fax (505) 827-3861

## **New York**

New York State Clearinghouse  
Division of the Budget  
State Capitol  
Albany, New York 12224  
Telephone (518) 474-1605

## **Rhode Island**

Daniel W. Varin  
Associate Director  
Division of Planning  
Department of Administration  
One Capitol Hill, 4th Floor  
Providence, Rhode Island 02908-5870  
Telephone (401) 277-2656  
Fax (401) 277-2083  
Please direct correspondence and questions to:  
Review Coordinator Office of Strategic Planning

## **North Carolina**

Mrs. Chrys Baggett, Director  
N.C. State Clearinghouse  
Office of the Secretary of Admin.  
116 West Jones Street  
Raleigh, North Carolina 27603-8003  
Telephone (919) 733-7232  
Fax (919) 733-9571

## **South Carolina**

Omeagia Burgess, State Single Point of Contact  
Grant Services, Office of the Governor  
1205 Pendleton Street, Room 477  
Columbia, South Carolina 29201  
Telephone (803) 734-0494  
Fax (803) 734-0385

## **North Dakota**

North Dakota Single Point of Contact  
Office of Intergovernmental Assistance  
600 East Boulevard Avenue  
Bismarck, North Dakota 58505-0170  
Telephone (701) 224-2094  
Fax (701) 224-2308

## **Texas**

Tom Adams, Director  
Intergovernmental Coordination  
Governor's Office  
P.O. Box 12428  
Austin, Texas 78711  
Telephone (512) 463-1771  
Fax (512) 463-1888

## **Ohio**

Larry Weaver, State Single Point of Contact  
State Clearinghouse  
Office of Budget and Management  
30 East Broad Street, 34th Floor  
Columbus, Ohio 43266-0411  
Please direct correspondence and questions about  
intergovernmental review to:  
Linda Wise  
Telephone (614) 466-0698  
Fax (614) 466-5400

## **Utah**

Utah State Clearinghouse  
Office of Planning and Budget  
Attn: Carolyn Wright  
Room 116 State Capitol  
Salt Lake City, Utah 84114  
Telephone (801) 538-1535  
Fax (801) 538-1547

## **Vermont**

Nancy McAvoy  
State Single Point of Contact  
Pavilion Office Building  
109 State Street  
Montpelier, Vermont 05609  
Telephone (802) 828-3326  
Fax (802) 828-3339

## **West Virginia**

Fred Cutlip, Director  
Community Development Division  
West Virginia Development Office  
Building #6 -- Room 553  
Charleston, West Virginia 25305  
Telephone (304) 558-4010  
Fax (304) 558-3248

## **Wyoming**

Sheryl Jeffreis  
State Single Point of Contact  
Office of the Governor  
State Capitol -- Rm 124  
Cheyenne, Wyoming 82002  
Telephone (307) 777-5930  
Fax (307) 632-3909

## **Territories**

### **Guam**

Mr. Giovanni T. Sgambelluri, Director  
Bureau of Budget and Management Research  
Office of the Governor  
P.O. Box 2950  
Agana, Guam 96910  
Telephone 011-671-472-2285  
Fax 011-671-472-2825

## **Northern Mariana Islands**

Mr. Alvaro A. Santos, Executive Officer  
Office of Management and Budget  
Office of the Governor  
Saipan, MP 96950  
Telephone (670) 664-2256  
Fax (670) 664-2272

### **Contact Person:**

Ms. Javoba T. Seman, Federal Programs  
Coordinator  
Telephone (670) 664-2289  
Fax (670) 664-2272

## **Puerto Rico**

Norma Burgos/Jose E. Caro  
Chairwoman/Director  
Puerto Rico Planning Board  
Federal Proposals Review Office  
Minillas Government Center  
P.O. Box 41119  
San Juan, Puerto Rico 00940-1119  
Telephone (809) 727-4444 or 723-6190  
Fax (809) 724-3270 or 724-3103

## **Virgin Islands**

Jose George  
Director, Office of Management and Budget  
#41 Norregade Emancipation Garden Station  
Second Floor  
Saint Thomas, Virgin Islands 00802  
Please direct all questions and correspondence  
to:  
Linda Clarke  
Telephone (809) 774-0750  
Fax (809) 776-0069

## Supplemental Information

INTRODUCTION: The following information supplements the information provided in the “Dear Applicant” letter, the “Notice Inviting Application for New Awards,” and the remainder of this application booklet.

### A. Criteria and Priority for Funding

All applications for funding under the Ronald E. McNair Postbaccalaureate Achievement Program (McNair) will be evaluated as *new submissions* according to the selection criteria listed in §647.21 of the program regulations. McNair projects currently funded for program years 1999-2000, 2000-2001, 2001-2002, 2002-2003, and 2003-2004 are eligible to receive up to 15 additional points for prior experience.

### B. Regulations applicable to the Ronald E. McNair Postbaccalaureate Achievement Program are:

- (a) Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 74, 75, 77, 79, 82, 85 and 86; and
- (b) McNair Program Regulations – 34 CFR Part 647 – included in this application package.

### C. Eligible Applicants

Institutions of higher education and combinations of those institutions.

### D. Eligible Participants

The Ronald E. McNair Postbaccalaureate Achievement projects serve individuals who are citizens or nationals of the United States; permanent residents of the United States; in the United States for other than a temporary purpose and provides evidence from the Immigration and Naturalization Service of his or her intent to become a permanent resident; permanent residents of Guam, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands (Palau); or residents of the Freely Associated States--the Federated States of Micronesia or the Republic of the Marshall Islands.

Project students must also be: (1) currently enrolled in a degree program at an institution of higher education that participates in the student financial assistance programs authorized under Title IV of the HEA; (2) a low-income individual who is a first-generation college student; (3) a member of a group that is underrepresented in graduate education; (4) a member of a group that is not listed in §647.7 if the group is underrepresented in certain academic disciplines as documented by standard statistical references or other national survey data submitted to and accepted by the Secretary on a case-by-case basis; and (5) not enrolled in doctoral level study at an institution of higher education.

### E. Certifications

1. All applicants must include information in their applications to address the new provisions in Section 427 of the Department of Education’s General Education Provisions Act (GEPA). Refer to the section entitled “Notice to All Applicants” for specific information.

2. Applicants should also submit other Department of Education certifications with the application. Signed copies of the following: (1) Standard Form 424B (Assurances--Non-Construction Programs); (2) ED Form 80-0013 (Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements); (3) ED Form 80-0014 (Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion --Lower Tier Covered Transactions; and (4) Standard Form LLL (Disclosure of Lobbying Activities) included in the application.

## **F. Information on the Awards Process**

### **1. Length of New Awards**

Applicants for new awards may apply for a maximum of five years of funding. However, only applicants that score in the highest ten percent of all applicants approved will be awarded five-year grants. Other successful applicants will be given four-year grant awards (refer to 34 CFR 647.5).

### **2. Evaluation of Applications for New Awards**

Each application is reviewed by a panel of experts. Each reviewer prepares a written evaluation of the application and assigns points for each selection criterion. In addition, program staff review the applicant's prior experience, if applicable, and assign prior experience points on the basis of the criteria published in 34 CFR 647.22. These evaluations serve as the sole basis for preparing a rank order of the application.

### **3. Selection of New Grantees**

The Director, Office of Federal TRIO Programs, will make funding recommendations to the Deputy Assistant Secretary for Higher Education Programs who approves the recommendations. The Assistant Secretary, Office of Postsecondary Education concurs.

### **4. Partnership Agreements**

The Department of Education is often unable to award the full amount of funds requested. The amount of funds to be awarded will be based on the appropriateness of the expenditures, the reasonableness of the costs, and the need for the services described in the application. The reader's comments are also taken into account and partnership agreements will be developed with successful applicants.

### **5. Notice to Successful Applicants**

The Office of Legislation and Congressional Affairs in the Department of Education will notify the appropriate members of Congress regarding the award. Notification to the applicant will be mailed one week after the Congress is notified. No funding information is released before the Congress is notified.

### **6. Notice to Unsuccessful Applicants**

Unsuccessful applicants will be notified in writing following the notice to successful applicants.

## Notice to All Applicants

### Guidance on Section 427 of GEPA

Thank you for your interest in these programs. The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Pub. L. 103-382).

#### To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants competing for new grant awards under this program. **All applicants competing for new awards must include information in their applications to address this new provision in order to receive funding under this program.**

#### What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs.

This provision allows applicants discretion in developing the required description. **The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age.** Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc., from such access to, or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.



## **What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?**

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in Braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct “outreach” efforts to girls to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

## **NOTICE TO APPLICANTS: THE GOVERNMENT PERFORMANCE AND RESULT ACT (GPRA)**

### **What is GPRA?**

The Government Performance and Results Act of 1993 (GPRA) is a statute that requires all federal agencies to manage their activities with attention to the consequences of those activities. Each agency is to clearly state what it intends to accomplish, identify the resources required, and periodically report their progress to the Congress. In so doing, it is expected that the GPRA will contribute to improvements in accountability for the expenditures of public funds, improve Congressional decision-making through more objective information on the effectiveness of federal programs, and promote a new government focus on results, service delivery, and customer satisfaction.

### **How has the Department of Education Responded to the GPRA Requirements?**

As required by GPRA, the Department of Education has prepared a strategic plan for 2002-2007. This plan reflects the Department's priorities and integrates them with its mission and program authorities and describes how the Department will work to improve education for all children and adults in the U.S. The Department's goals, as listed in the plan, are:

- Goal 1: Create a culture of achievement.
- Goal 2: Improve student achievement.
- Goal 3: Develop safe schools and strong character.
- Goal 4: Transform education into an evidence-based field.
- Goal 5: Enhance the quality of and access to postsecondary and adult education.
- Goal 6: Establish management excellence.

The performance indicators for the Ronald E. McNair Postbaccalaureate Achievement program (McNair) are part of the Department's plan for meeting Goal 5: Enhance the quality of and access to postsecondary and adult education. One of the Department's objectives for Goal 5 is to "reduce the gaps in college access and completion among student populations differing by race/ethnicity, socioeconomic status, and disability while increasing the educational attainment of all."

### **What are the Performance Indicators for the McNair Program?**

The Department's specific goal for the Federal TRIO Programs is "to increase participation and completion rates of disadvantaged persons through the academic pipeline." The specific performance indicators for the McNair program are as follows:

- (1) McNair participants will complete undergraduate programs at rates higher than comparable non-participants.
- (2) McNair participants will enroll in programs of study at the graduate level at rates higher than comparable non-participants.
- (3) McNair participants will earn doctorate degrees in various disciplines, including the fields of mathematics and science, at rates higher than comparable non-participants.

# Important Notice to Prospective Participants in U.S. Department of Education Contract and Grant Programs

## Grants

Applicants for grants from the U.S. Department of Education (ED) have to compete for limited funds.

Deadlines assure all applicants that they will be treated fairly and equally, without last-minute haste.

For these reasons, ED must set strict deadlines for all grant applications. Prospective applicants can avoid disappointment if they understand that:

**Failure to meet a deadline will mean that an application will be rejected without any consideration whatever.**

The rules, including the deadline, for applying for each grant are published, individually, in the *Federal Register*. A one-year subscription to the Register may be obtained by sending \$340.00 to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9371 (send check or money order only, no cash or stamps).

The instructions in the *Federal Register* must be followed exactly. Do not accept any other advice you may receive. No ED employee is authorized to extend any deadline published in the Register.

Questions regarding submission of applications may be addressed to:

U.S. Department of Education  
Application Control Center  
Washington, D.C. 20202-4725

## Contracts

Competitive procurement actions undertaken by ED are governed by the Federal Procurement Regulations and implementing ED Procurement Regulations.

Generally, prospective competitive procurement actions are synopsized in the Commerce Business Daily (CBD). Prospective offers are therein advised of the nature of the procurement and where to apply for copies of the Request for Proposals (RFP).

Offers are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the RFP. Questions regarding the submission of offers should be addressed to the Contracts Specialist identified on the fact page of the RFP.

Offers are judged in competition with others and failure to conform with any substantive requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or the RFP. No ED employee is authorized to consider a proposal which is non-responsive to the RFP.

A subscription to the CBD is available for \$208.00 per year via second class mailing or \$261.00 per year via first class mailing. Information included in the Federal Acquisition Regulation is contained in Title 48, Code of Federal Regulations, Chapter 1 (\$49.00). The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402-9371

In an effort to be certain this important information is widely disseminated, this notice is being included in all ED mail to the public. You may, therefore, receive more than one notice. If you do, we apologize for any annoyance it may cause you.

## **SUPPLEMENTAL INSTRUCTIONS OBTAINING A D-U-N-S NUMBER**

The Dun and Bradstreet Unique Numbering System (D-U-N-S) provides a unique nine-digit number that does not convey any information about the recipient. A built-in check digit helps assure the accuracy of the D-U-N-S number. The ninth digit of each number is the check digit, which is mathematically related to the other digits. It lets computer systems determine if a D-U-N-S number has been entered correctly. This new numbering system replaces the entity identification number (EIN) formerly used by the Department of Education for grantee identification purposes.

Dun and Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide. You can obtain your D-U-N-S number at no charge by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

**<http://www.dnb.com/dbis/aboutdb/intlduns.htm>**

## ***SECTION C- APPLICATION INFORMATION***

- ***ANNUAL LOW-INCOME LEVELS***
- ***INSTRUCTIONS FOR COMPLETING THE APPLICATION FORMS***
  - ***PART I -- APPLICATION FACE SHEET***
  - ***PART II -- BUDGET SUMMARY***
  - ***PART III -- PROGRAM NARRATIVE***
  - ***PART IV -- MCNAIR PROGRAM ASSURANCES***
  - ***PART V -- PRIOR EXPERIENCE***

# Federal TRIO Programs

## 2002 Annual Low Income Levels

(Effective February 2002 Until Further Notice)

Size of Family Unit	48 Contiguous States D.C., and Outlying Jurisdictions	Alaska	Hawaii
1	\$13,290	\$16,620	\$15,300
2	\$17,910	\$22,395	\$20,610
3	\$22,530	\$28,170	\$25,920
4	\$27,150	\$33,945	\$31,230
5	\$31,770	\$39,720	\$36,540
6	\$36,390	\$45,495	\$41,850
7	\$41,010	\$51,270	\$47,160
8	\$45,630	\$57,045	\$52,470

For family units with more than 8 members, add the following amount for each additional family member: \$4,620 for the 48 Contiguous States, the District of Columbia and outlying jurisdictions; \$5,775 for Alaska; and \$5,310 for Hawaii.

The term "low-income individual" means an individual whose family's taxable income for the preceding year did not exceed 150% of the poverty level amount.

The figures shown under family income represent amounts equal to 150% of the family income levels established by the Census Bureau for determining poverty status. The poverty guidelines were published by the U.S. Department of Health and Human Services in the [Federal Register](#), Vol. 67, No. 31, February 14, 2002, pp. 6931-6933.

## Instructions for Completing the Application

The application is divided into five parts. These parts are organized in the same manner that the submitted application should be organized.

The sections are as follows:

Part I: Application Face Sheet and Instructions (SF 424)

Part II: Budget Summary and Instructions (also include detailed Budget Narrative, SF 424-E)

Part III: Program Narrative

Part IV: Program Assurances

Part V: Prior Experience (only for currently funded applicants)

No grant can be awarded unless a complete application has been received.

Submit the **original** and **three copies** of the application to:

U.S. Department of Education  
Application Control Center  
Attention: (CFDA #84.217 McNair)  
Regional Office Building #3, Room 3633  
7<sup>th</sup> and D Streets, SW  
Washington, DC 20202-4725

According to the Paperwork Reduction Act of 1995, any collection of information must display a valid OMB control number. The valid OMB control number for this information collection is 1840-0619. The time required to complete this information collection is estimated to average 20 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the collection of information. **If you have any comments concerning the accuracy of this time estimate or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, DC 20202-4651. **If you have comments or concerns regarding the status of your individual submission of the form, write directly to:** The Office of Federal TRIO Programs, U.S. Department of Education, 1990 K Street, NW, 7<sup>th</sup> Floor, Washington, DC 20006-8510.



# Parts I and II – Instructions For Completing The Application Face Sheet And Budget Summary

## General Instructions

Applicants are requested to adhere strictly to the instructions provided below. ***Failure to follow the instructions will delay the processing of your application and may require you to resubmit the forms.***

- Section A – Ronald E. McNair Postbaccalaureate Achievement Program Face Sheet
- Section B – Budget Summary: U. S. Department of Education Requested Funds

The Ronald E. McNair Postbaccalaureate Achievement Program Face Sheet must be included as the first page of your application submission.

If you need additional application packages, please send a written request to the Federal TRIO Programs at the following address :

Federal TRIO Programs  
U.S. Department of Education  
1990 K. Street, NW, 7<sup>th</sup> Floor  
Washington, DC 20006-8510  
Fax: 202.502.7857 or 58  
E-mail: [trio@ed.gov](mailto:trio@ed.gov)

The application is available on the internet at <http://www.ed.gov/offices/OPE/HEP/trio>

You are encouraged to submit your application in typewritten form. However, if your organization does not have access to typewriters, instructions and examples for handwritten submissions are provided.

Please do not use dollar sign, commas, or decimals. Please round all dollar amounts to the whole dollar.

Date fields must follow the MM/DD/YYYY format, e.g., 10/01/2003

## Application Face Sheet

### CURRENT GRANTEES ONLY

Applicants currently funded under the Ronald E. McNair Postbaccalaureate Achievement Program (FY 1999-2003) should provide their **current PR/Award Number** in the space on the face sheet across from item 1 and just below “Organizational Unit. This number is found in block 4 of the Grant Award Notification and will begin with P217A. **New applicants should leave this space blank.**

## Budget Summary and Narrative

### Section A: BUDGET SUMMARY: U.S. Department of Education Requested Funds (Form 524)

Please use the summary budget form (ED Form No. 524, Sections A and B) to categorize requested costs and non-federal commitment of funds, if any. The detailed budget and any accompanying narrative should provide a detailed breakdown of costs within each budget category and explain the basis for determining the amounts needed for personnel, staff travel, workshop costs, materials preparation, evaluation, and any other costs appropriate for the project.

For this competition, applicants may request funding for up to **five years (60 months)**. The Department requires that all applicants for multi-year awards provide detailed budget information for the total grant period requested. A summary budget and detailed budget narrative are required for the first 12-month budget period. A summary budget is required for each subsequent year of funding requested. Department staff will negotiate the funding levels for each year of the grant award at the time of the initial award.

The funding request may include all costs that are reasonable and associated with carrying out the objectives of the Ronald E. McNair Postbaccalaureate Achievement Program. Among the costs that may be supported with grant funds are:

1. Personnel: Enter project personnel salaries and wages only. Fees and expenses for consultants should be included on line 6.
2. Fringe Benefits: The institution’s normal fringe benefit contribution may be charged to the program. If benefits exceed twenty percent (20%), an explanation and justification must be provided. Leave this blank if fringe benefits applicable to direct salaries and wages are treated as part of the indirect costs.

3. Travel: Indicate travel of employees and participants only. Travel of consultants, trainees, etc., may not be included here. Travel costs for consultants should be included under "Contractual".
4. Equipment: Indicate the cost of non-expendable personal property which has a usefulness of greater than one year and an acquisition cost of \$5,000 or more per unit. Lower limits may be established to maintain consistency with the applicant's policy.
5. Supplies: Show all tangible personal property except that which is included on line 4.
6. Contractual: Include consultant travel costs and fees.
7. Construction: Not applicable. Leave blank.
8. Other: Indicate all direct costs not covered on lines 1 through 6. Examples are: equipment rental, required fees, communication costs, rental of space, utilities, custodial services, and printing costs. **Note: Costs for tuition and room and board for students engaged in research internships during the summer only should be included here but not calculated as part of total direct cost.**
9. Total Direct Costs: The sum of lines 1 through 8.
10. Indirect Costs: Indirect costs are limited to eight percent (8%) of a modified total direct cost base. To determine the modified total direct base subtract capital expenditures (equipment) of \$5,000 or more from line 9, Total Direct Costs.
11. Training Stipends: Include student stipends. See the program regulations, 34 CFR 647.30(b) which establishes stipend amounts.
12. Total Cost (line 12): This should equal the sum of lines 9 and 10 (total direct cost plus indirect costs). This amount should also be equal to item 13a on the application face sheet.

## **Budget Narrative**

### **Additional instructions for preparing the budget narrative**

In the descriptive budget narrative, explain amounts for individual direct object cost categories that may appear to be out of the ordinary and provide the following details:

Personnel/Salaries: Include a statement that shows the total commitment of time and the total salary to be charged to the project for each member of the project staff. Provide a breakdown of project personnel that includes the position title, the percent of time and number of months committed to the project, and the total salary to be charged to the grant.

Fringe Benefits: Include an explanation and appropriate justification if the institution or agency's normal benefit contribution exceeds 20 percent of salaries.

Staff Travel: Travel expenditures should be detailed as to purpose, objective, and number of persons involved. Transportation costs should not exceed tourist class airfare. For automobile mileage, the established institution or agency rate should be used. Reimbursement is allowed

for taxicab, bus, train, or limousine transportation. Per diem at the established institution or agency rate is permitted when an individual is away from home over night on official project business (See OMB Circular A-21, J.48.c - Commercial Air Travel). **No travel outside the contiguous United States (except Hawaii and Alaska) will be authorized under the grant.**

The Office of Federal TRIO Programs has developed the following guidelines for recommending approval of travel. All travel must be related to the project's overall purpose and proposed activities.

I. Project Director's Travel – Per Year

- A. One National Conference;
- B. One Regional Meeting;
- C. One State Meeting; and
- D. Travel for participation in one professional staff development

II. Full-time Professional Staff Travel – Per Year

- A. One National, Regional or State Meeting; and
- B. Travel for staff development under the Training Program for Federal TRIO Programs.

Equipment: List items of equipment in the following format: Item, number of items, cost per unit, total cost. Equipment purchases will only be approved if they are necessary to carry out project activities and are fully justified. (Please remember that equipment is defined as non-expendable personal property which has a usefulness of greater than one year and an acquisition cost of \$5,000 or more per unit. However, consistent with an applicant's policy, lower cost levels may be established.)

Supplies Itemize costs for project supplies.

Other Provide a breakdown of all direct costs not clearly covered by other budget categories. Examples are computer-use charges, equipment rentals communication costs, printing, and consultant services. If the project proposes to use consultants, identify the consultants that will work on the project and the scope of work to be performed by each consultant. Provide a detailed breakdown of the costs (daily fees to be paid, estimated number of days of services, and all travel expenses, including per diem). Cost allowances for consultant fees, honoraria, per diem, and travel should not exceed amounts permitted by comparable institutional or agency policies.

Indirect Cost. Indirect costs are limited to eight percent (8%) of a modified total direct cost base (refer to section 75.562(c) of the Education Department General Administrative Regulations (EDGAR)).

## Part III -- Program Narrative

All applicants must submit a program narrative which specifically addresses the McNair program selection criteria (subsection 647.21) and the instructions for new grants in the Education Department Administrative Regulations (EDGAR) in 34 CFR 75.217. The applicant is encouraged to include a one-page abstract of the proposed project.

The Secretary evaluates an application on the basis of the criteria in Section 647.21 of the McNair Program regulations. The program narrative should provide in detail the information which addresses each selection criterion. The maximum possible score for each completed criterion is indicated in parentheses next to the criterion. The applicant is urged to address the selection criteria in the following order:

- |    |                                      |             |
|----|--------------------------------------|-------------|
| 1. | Need                                 | (16 points) |
| 2. | Objectives                           | ( 9 points) |
| 3. | Plan of Operation                    | (44 points) |
| 4. | Quality of Key Personnel             | ( 9 points) |
| 5. | Adequacy of the Resources and Budget | (15 points) |
| 6. | Evaluation Plan                      | ( 7 points) |

<b>Total Maximum Score for Selection Criteria</b>	<b>100 points</b>
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The above order is suggested since this is the same order in which the Technical Review Form is organized. The Technical Review Form is used by the reviewers to evaluate the information contained in the application.

Part III of the application **cannot exceed one hundred (100) typed double spaced pages.** See Notice Inviting Applications for specifics.

Additional Suggestions:

- o Number each page of the application.
- o Make the face sheet the first page of the application.
- o **Do not bind the application**--particularly do not fold, staple or mutilate the forms.
- o **Do not include extraneous descriptive materials** (brochures, reports, etc.) which are not requested.

## Part IV – McNair Program Assurances

### RONALD E. MCNAIR POSTBACCALAUREATE ACHIEVEMENT PROGRAM

As the duly authorized representative of the applicant, I certify that the applicant will comply with the statutory requirements that:

1. Not less than two-thirds of the individuals participating in the project proposed to be carried out under this application be low-income individuals who are first-generation college students;
2. The remaining persons participating in the project proposed to be carried out be from a group that is underrepresented in graduate education;
3. Participants be enrolled in a degree program at an eligible institution in accordance with the provisions of Section 487, PL 89-329, as amended; and
4. Participants in summer research internships, if any, have completed their sophomore year in postsecondary education.

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Signature of Authorized Certifying Official

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Title of Authorized Certifying Official

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Application Organization

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Date Signed

**Definitions:**

- A. A “low-income individual” means an individual whose family’s taxable income did not exceed 150 percent of the poverty level in the calendar year preceding the year in which the individual participated in the project.
  - B. A “first-generation college student” means:
    - (1) A student neither of whose natural or adoptive parents received a baccalaureate degree;  
or
    - (2) A student, who prior to the age of 18, resided with and received support from only one parent, and whose supporting parent did not receive a baccalaureate degree.
    - (3) An individual who, prior to the age of 18, did not regularly reside with or receive support from natural or an adoptive parent.
  - C. “Groups underrepresented in graduate education.” The following ethnic and racial groups are currently underrepresented in graduate education:
    - Black (non-Hispanic),
    - Hispanic, and
    - American Indian/Alaskan Native.
-

## Part V -- Prior Experience

This part is to be completed only by those McNair applicants that have been funded within the 1999-2003 grant cycle (program years 1999-2000, 2000-2001, 2001-2002, 2002-2003, and 2003-2004).

If an applicant for a new grant proposes to continue to serve substantially the same population or campus that the applicant is serving under the expiring grant, the Secretary evaluates the applicant's prior experience in delivering services under the expiring grant on the basis of the criteria in Section 647.22 of the McNair program regulations. However, if the applicant has submitted the annual performance reports, the applicant needs only to provide the information needed to evaluate the applicant's prior experience that is not covered by the performance reports. **Based on the success of the project's prior experience, an applicant may receive up to fifteen (15) additional points.**

### NOTE:

#### For Program Years 1999-00 and 2000-01:

The due date for submitting performance reports for these years is now past. No changes or modifications to the information on file with the Department will be accepted.

#### For Program Year 2001-02:

The applicant should submit a detailed report on the project's accomplishments to date, which specifically reports information which addresses each of the prior experience criteria as contained in subsection 647.22 (Prior Experience) of the McNair program regulations.



***SECTION D- DEPARTMENT OF EDUCATION  
ASSURANCES AND CERTIFICATIONS***

- ***NON CONSTRUCTION ASSURANCE***
- ***CERTIFICATION REGARDING LOBBYING;  
DEBARMENT; SUSPENSION; AND OTHER  
RESPONSIBILITY MATTERS; AND DRUG FREE  
WORKPLACE REQUIREMENTS***
- ***CERTIFICATION REGARDING DEBARMENT,  
SUSPENSION, INELIGIBILITY AND VOLUNTARY  
EXCLUSION – LOWER TIER COVERED  
TRANSACTIONS***
- ***DISCLOSURE OF LOBBYING ACTIVITIES***

**ASSURANCES- NON-CONSTRUCTION PROGRAMS**

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to

purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq); (f) conformity of Federal actions to State (Clear Air) Implementation.

Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

*Authorized for Local Reproduction  
Standard Form 424 B (4-88) Prescribe by  
OMB Circular A-102*

Signature of Authorized Certifying Official	Title	
Applicant Organization		Date Submitted

*SF 424 (4-88) Back*

# **Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

## **1. Lobbying**

As required by Section 1352, Title 31, of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000 as defined at 34 CFR Part 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

## **2. Debarment, Suspension, and Other Responsibility Matters**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110--

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a Government entity (Federal, State, or local) with commission of any offenses enumerated in paragraph (1)(b) of this certification; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### **3. Drug Free Workplace (Grantees Other Than Individuals)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Section 85.605 and 85.610-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about--

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 7th and D St., S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check ☐ if there are workplaces on file that are not identified here.

**Drug-Free Workplace**

(Grantees Who Are Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 7th and D St., S.W. (Room 3124, GSA Regional Office building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant.

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As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Name of Applicant

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PR/Award Number and/or Project Name

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Printed Name and Title of Authorized Representative

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Signature

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Date

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ED 80-0013

# **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS**

## **Instructions for Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
  2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
  3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
  4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
  5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
  6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
  7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
  8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
  9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
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**Certification**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF APPLICANT
PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE
SIGNATURE

ED 80-0014, 9/90 (Replaces GCS-009 (REV. 12/88), which is obsolete)

# INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. ~~Use the SF-LLL-A continuation Sheet for additional information if the space on the form is inadequate.~~ Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, of expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee" then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal Action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a) Enter Last Name, First Name, and Middle Initial (MI).
- ~~11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.~~
- ~~12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.~~

~~13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.~~

~~14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.~~

~~15. Check whether or not a SF LLL A Continuation Sheet(s) is attached.~~

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction Project (0348-0046), Washington, D.C. 20503
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DISCLOSURE OF LOBBYING ACTIVITIES  
Continuation Sheet  
Approved by OMB  
0348-0046

**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (see reverse for public burden disclosure)

Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. coop. agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change  For Material Change Only: yr. _____ qrtr. _____ Date of last report _____
4. Name and Address of Reporting Entity: ___ Prime ___ Subawardee Tier ___, if known  Congressional District ___, if known	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:  Congressional District ___, if known	6. Federal Department/Agency:
7. Federal Program Name/Description:  CDFA #, if applicable 84.	8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____
10.a. Name and Address of Lobbying Entity (if individual, last name, first name, MI)	b. Individuals Performing Services (including address if different from 10a) (last name, first name, MI)	11. Amount of Payment (check all that apply): \$ _____ actual ___ planned
12. Form of Payment (check all that apply): ___ a. cash ___ b. in-kind: nature _____ value _____	13. Type of Payment (check all that apply): ___ a. retainer ___ b. one-time fee ___ c. commission ___ d. contingent fee ___ e. deferred ___ f. other; specify: _____	14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in item 11:  (attach contin. sht., SF LLL-A, if necessary)
15. Continuation Sheet(s) SF LLL-A attached ___ Yes ___ No ___	16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	
Federal Use Only	Signature: _____ Print Name _____ Title : _____ Telephone No: ____ - ____ - _____ Date: _____ Authorized for Local Reproduction SF- LLL	